

SD 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Food Lion, LLC., et al.

V.

Cadbury Adams Canada, Inc., et al.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:
08 CV 03045

TO: (Name and address of Defendant)

Mars Snackfood U.S.
800 High Street, Hackettstown, NJ 07840

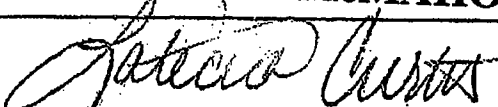
YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Torsten M. Kracht
Akin Gump Strauss Hauer & Feld LLP
1333 New Hampshire Avenue, N.W.
Washington, DC 20036

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK



(By) DEPUTY CLERK

MAR 25 2008

DATE

AO 440 (Rev. DC - September 2003) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE 04-04-08 @ 4:20 pm	
NAME OF SERVER (PRINT) Manuel Fontes	TITLE Private Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<p><input type="checkbox"/> G Served personally upon the defendant. Place where served: _____</p> <p>_____</p> <p><input type="checkbox"/> G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.</p> <p>Name of person with whom the summons and complaint were left: _____</p> <p><input type="checkbox"/> G Returned unexecuted: _____</p> <p>_____</p> <p><input type="checkbox"/> G Other (specify): <u>by serving Sara Brooks, Human Resources Representative, authorized to accept. Service was completed at 800 High Street, Hackettstown, NJ 07840</u></p>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>4-1-08</u> _____</p> <p style="text-align: center;">Date</p> <p style="text-align: center;">Signature of Server</p> <p style="text-align: center;">Capitol Process Services, Inc. 1827 18th Street, NW Washington, DC 20009</p> <p style="text-align: center;">Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.